

REMARKS

By the present amendment, Applicant has amended Claims 58 and 115 and canceled Claims 1-57. Claims 58-171 remain pending in the present application. Claims 58 and 115 are independent claims.

Applicant appreciates the courtesies extended to Applicant's representative during the telephone interview held on March 11, 2008. The present response summarizes the understandings reached and the substance of the interview. At the interview arguments were advanced that the prior art devices used in the rejection (Gifford '612 and Taylor '687) were not fax machines "talking" to each other with linking software that allowed the sender to control the receiving fax machine. Further, the claims were to be amended to specifically recite these features. The Examiner indicated that he would reconsider the rejection upon submittal of the amendment and conduct a further search of any changes incorporated therein.

In the recent Office Action the Examiner rejected Claims 1-31, 33-88, 90-145 and 147-171 under 35 U.S.C. § 103(a) as being unpatentable over Gifford (6,649,612) in view of Taylor 6,034,687); and claims 32, 89, and 146 were held to be unpatentable over Gifford ('612) in view of Botvin (5,750,972), the latter reference teaching the obviousness of providing a fax machine with a "fax-a-check" mode.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

Applicant's invention is a system and/or method for routing voice/video/fax mail from a sending fax machine to a receiving fax machine. Each fax machine includes a processor and memory and specific fax software whereby the fax machines are configured for routing voice/video/fax mail to associated recipients. As depicted in the figures, fax machine 10 allows the sender of voice/video/fax mail to be the **controller** of voice/video/fax mail, and enables the sender to be certain that voice/video/fax mail is delivered to an intended recipient using a fax machine 10 via a WAN. For example, the fax machine 10 may be a system connected to a user's office by wire, cable, etc. so the printer at an intended recipient's location may be under the user's control, and the fax document may be secured in a glass container until the user proof reads or feels assured of delivering, or even shredding the fax mail. When the user is satisfied that the fax documents are correct, the user then releases the document to the recipient. In order to specifically recite these features, independent claims 58 and 115 have been similarly amended to recite: "*communicatively interconnecting the first fax machine with the second fax machine for a first voice/video/fax mail transmission, wherein said interconnecting further includes the step of including fax software in each of said fax machines to configure said fax machines to be so linked as respective sender and receiving fax machines that the sender of the voice/video/fax mail is the controller of said mail at both locations thereby enabling the sender to be certain that the receiving machine is the intended recipient of said mail and cannot access said mail until the sender releases control of the mail....*"

In contradistinction to Applicant's claimed invention, Gifford discloses a computer system for implementing any form of fax communication. The Examiner concedes that Gifford lacks the fax machine structure or method and relies on Taylor to teach a fax machine to a fax machine link. However, the Taylor fax function is part of Taylor's computer hardware resource and the fax function is merely a computer application. Taylor lacks the disclosure of a fax machine-to-fax machine link or "communicatively interconnected" by specific fax software wherein the sender is in total control of the document and the receiving fax machine until the sender releases the document.

The Botvin reference adds little to the Gifford/Taylor devices. Botvin uses fax machines at the sender and recipient sites and computer software to process commercial paper. The computer software generates draft documents which are then sent to the recipients via digital facsimile. Botvin fails to disclose the claimed features of linked fax machines that contain specific fax software that allows the sender to have control over the recipient's fax machine until the fax mail is released.

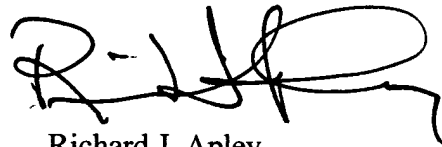
Thus, the prior art fails to disclose the claimed invention. In summary, prior art does not possess communicatively interconnected or linked fax machines, each possessing specific fax software that enables the sender to engage the receiving fax machine into a mode in which the sender controls the receiving fax machine's total function until the sender releases the fax document.

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For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. J. Apley', with a large, stylized loop at the end.

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RJA: dht